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April 20, 1999

**BY FEDERAL EXPRESS**

Magalie Roman Salas, Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, DC 20554

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**APR 21 1999**  
**FCC MAIL ROOM**

Re: Ducor Telephone Company  
Petition for Waiver of Dialing Parity Implementation Schedule  
CC Docket 96-98

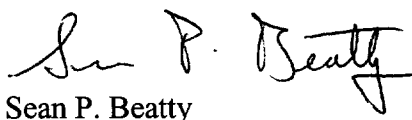
Dear Ms. Salas:

On behalf of Ducor Telephone Company ("Ducor"), enclosed for filing are an original and four copies of Ducor's Petition for Waiver of the Dialing Parity Implementation Schedule set forth in the Commission's March 23, 1999 Order in CC Docket 96-98 (FCC 99-54). We have also enclosed an extra copy of the Petition which should be stamped "Received" and returned to us in the envelope provided.

Should you or the Commission's staff have any questions regarding this Petition, do not hesitate to contact the undersigned at (415) 765-0302.

Very truly yours,

COOPER, WHITE & COOPER

  
Sean P. Beatty

Enclosures

cc (w/encl.): Alvin H. Pelavin  
E. Garth Black  
Mark P. Schreiber  
Eric Wolfe  
Galen Norsworthy  
Roger M. Barker

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**BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

**In the Matter of**

**Implementation of the Local Competition  
Provisions of the Telecommunications Act of  
1996**

**CC Docket No. 96-98**

**PETITION OF DUCOR TELEPHONE COMPANY  
FOR WAIVER OF DIALING PARITY IMPLEMENTATION SCHEDULE**

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**Attorneys for Petitioner  
Ducor Telephone Company**

**April 20, 1999**

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Implementation of the Local Competition  
Provisions of the Telecommunications Act of  
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CC Docket No. 96-98

**PETITION OF DUCOR TELEPHONE COMPANY  
FOR WAIVER OF DIALING PARITY IMPLEMENTATION SCHEDULE**

**INTRODUCTION**

Ducor Telephone Company (hereinafter "Ducor") hereby files this Petition for Waiver ("Petition") of the dialing parity implementation schedule established in the Federal Communications Commission's ("FCC's") Order in CC Docket No. 96-98 released on March 23, 1999 ("March 23rd Order"). Ducor requests an extension of time to December 22, 1999 to implement dialing parity.

**BACKGROUND**

Ducor is a small, rural local exchange carrier serving two exchanges in isolated areas of California. Ducor serves a total of approximately 965 access lines in its two exchanges. Because it only recently received a bona fide request for equal access, Ducor currently has not implemented dialing parity for either interLATA or intraLATA calls. Based on the request for equal access received on February 9, 1999, Ducor had already begun the process to implement interLATA equal access even before the FCC issued its March 23rd Order. Pursuant to FCC rules regarding implementation of interLATA equal access, Ducor will conduct balloting during the second half of 1999 and has targeted its conversion to equal access for December 22, 1999. Therefore, Ducor will not have

1 implemented interLATA equal access by July 22, 1999, the outside date under the March  
2 23rd Order for implementing dialing parity after approval of Ducor's implementation plan  
3 by the California Public Utilities ("CPUC").  
4

5 **THE FCC SHOULD PERMIT DUCOR**  
6 **TO IMPLEMENT DIALING PARITY BY DECEMBER 22, 1999**

7 The FCC should permit Ducor an extension of time until December 22, 1999 to  
8 implement intraLATA toll dialing parity for two reasons. First, Ducor will not have made  
9 the necessary arrangements to support dialing parity before that time. Second,  
10 implementing intraLATA dialing parity before December 22, 1999 would require Ducor  
11 to implement interLATA and intraLATA dialing parity within months of each other,  
12 causing potential customer confusion and requiring Ducor to incur unneeded costs.

13 Being a rural carrier in isolated regions of California serving very few  
14 subscribers, it is not surprising that Ducor had not received a bona fide request for equal  
15 access before 1999. Given the legal uncertainty surrounding the FCC's 1996 dialing  
16 parity decision and the significant cost for a small LEC to make all the necessary  
17 arrangements to accommodate dialing parity, Ducor determined it was not reasonable to  
18 prepare for dialing parity until a demonstrated demand for it existed.<sup>1</sup> On February 9,  
19 1999, Ducor received a bona fide request from a long distance carrier to implement  
20 dialing parity and began working on complying with that request. Six weeks later, the  
21 FCC issued its March 23rd Order requiring implementation by July 22, 1999. The  
22 expedited time schedule adopted in the March 23rd Order assumes that carriers have  
23 made all necessary arrangements regarding dialing parity to meet its deadlines.  
24 Unfortunately, this assumption is not accurate as applied to Ducor. Although Ducor is in  
25 the process of making arrangements to accommodate dialing parity, those arrangements  
26 will not be in place, with adequate time for testing, before December 22, 1999.

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<sup>1</sup> Ducor did ensure its switches which were installed in the last two years included the  
necessary software to provide dialing parity.

1           If imposed on Ducor, the schedule established by the March 23rd Order would  
2 require unnecessary duplicate efforts and would result in the unusual outcome that  
3 intraLATA dialing parity would be available before interLATA dialing parity was  
4 available. Under its current schedule for implementation of interLATA dialing parity,  
5 Ducor will soon commence the customer balloting required by the FCC's rules. Under  
6 Ducor's current schedule, Ducor will notify interexchange carriers on June 25, 1999 of the  
7 pending implementation of interLATA equal access. Those carriers will have the  
8 opportunity to be placed on the customer ballot. On September 22, 1999, Ducor will mail  
9 ballots to its customers, with a second mailing scheduled for November 12, 1999.  
10 Because of the similar customer notice requirements pertaining to both interLATA and  
11 intraLATA dialing parity, Ducor could reduce its costs by implementing both services  
12 simultaneously. In addition, it might prove overly confusing to Ducor's subscribers if  
13 they were required to choose an intraLATA carrier in July and then be faced with the  
14 decision to choose an interLATA carrier several months later. Granting a waiver of the  
15 intraLATA dialing parity schedule will allow Ducor to implement both inter- and  
16 intraLATA dialing parity in a coordinated fashion, reducing Ducor's costs and minimizing  
17 customer confusion.

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**CONCLUSION**

Based on the foregoing, Ducor requests that the FCC grant it an extension of time to December 22, 1999 in which to implement intraLATA dialing parity.

Dated this 20th day of April, 1999, at San Francisco, California.

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